

## LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

**for December 8, 2004 PLANNING COMMISSION MEETING**

**P.A.S.:**       Annexation #04010  
                  Change of Zone #04070

This is a combined staff report for related items. This report contains a single background and analysis section for all items.

**PROPOSAL:**       Annex approximately 30.186 acres and Change of Zone from AGR to R-3

**LOCATION:**        Southeast of S. W. 40<sup>th</sup> and West "A" St.

**LAND AREA:**     30.186 acres, more or less

**CONCLUSION:**    The annexation and change of zone are in conformance with the Comprehensive Plan.

### **RECOMMENDATION:**

Annexation #04010	Find that this request is in conformance with the Comprehensive Plan and Approval.
Change of Zone #04070	Approval

### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:**   see attached

**EXISTING ZONING:**        AGR, Agricultural Residential

**PROPOSED ZONING**       R-3 Residential

**EXISTING LAND USE:**    Agriculture/undeveloped

### **SURROUNDING LAND USE AND ZONING:**

North:	AGR-Agricultural residential	Single-family dwellings on acreage
South:	AGR-Agricultural residential	Single-family dwellings on acreage
East:	R-3 Residential	Single family dwellings
West:	AGR-Agricultural residential	Single-family dwellings on acreage

**ASSOCIATED APPLICATIONS: Preliminary Plat #04027**  
**COMPREHENSIVE PLAN SPECIFICATIONS:**

Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population. (F-18)

Interconnected networks of streets, trails, and sidewalks should be designed to encourage walking and bicycling, reduce the number and length of automobile trips, conserve energy and for the convenience of the residents. (F-18)

The Land Use Plan identifies this area as urban residential. (F-25)

Tier I: Defines the City of Lincoln's near term growth area-generally a 40 square mile area which could reasonably expect urban services within the next twenty-five year period. Land within this area should remain generally in the present use in order to permit further urbanization by the City. (F-28)

Priority A of Tier I:

Areas designated for near term development are generally contiguous to existing development and should be provided with basic infrastructure within 12 years of the adoption of the Plan. Some of the infrastructure required for development may already be in place. This area includes some land already annexed, but is still undeveloped and without significant infrastructure. Areas with this designation are the next priority for infrastructure programming. Some infrastructure improvements may be done in the near term while others, such as road improvements that are generally more costly, may take longer to complete.(F-29)

Affordable housing should be distributed throughout the region to be near job opportunities and to provide housing choices within every neighborhood. Preserve existing affordable housing and promote the creation of new affordable housing throughout the community. (F-65)

Provide different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population. (F-66)

Guiding principles for new neighborhoods includes:

1. Similar housing types face each other: single family faces single family, change to different use at rear of lot;
2. Parks and open space within walking distance to a ll residences;
3. Pedestrian orientation; shorter block lengths, sidewalks on both sides of all roads ( F-67)

Continue the City's growth policy of contiguous urban growth. Urban development will occur in areas immediately abutting the city that reflect a logical and timely extension of urban infrastructure. (F 75)

The Lincoln Airport Authority has assessed the existing and future noise impacts, noise contours for the Airport environment in a Part 150 Airport Noise Compatibility Planning Study. The Comprehensive Plan will use information from the Part 150 Study to guide land use planning throughout the airport environs. (F-123)

**HISTORY:**

**August 2, 2004** The Lincoln Airport F.A.R. Part 150 Noise Compatibility Study, 2003 was adopted by City Council.

**September 2, 1997** Timber Ridge Preliminary Plat was approved by City Council.

**November 8, 1995** High Ridge Estates Final Plat was approved by the Planning Commission.

**April 21, 1995** High Ridge Estates Preliminary Plat was approved by City Council.

**UTILITIES:** This development can be served with water and sanitary sewer by connecting to the water and sanitary sewer mains in Timber Ridge subdivision adjacent to the east.

**PUBLIC SERVICE:** The nearest fire station is located on Coddington Ave., south of West "A" St.

Roper Elementary school is located at Coddington Ave. & West South St.

**ANALYSIS:**

1. This request is for a change of zone from AGR-Agriculture Residential to R-3 Residential in order to develop 83 residential lots. It is associated with Woodland View preliminary plat.
2. Annexation policy of the Comprehensive Plan:

**-To not extend water and sanitary sewer services beyond the city limits. Annexation shall occur before any property is provided water, sanitary sewer, and other city services.**

Sanitary sewer and water service is available to the site from existing mains in Timber Ridge. The developer will be responsible for posting a surety of \$125,000.00 for off-site improvements to the sanitary sewer along West "A" St.

**-Land which is contiguous and generally urban in character may be annexed.**

The area is contiguous, and the preliminary plat shows urban-density development.

**- Annexation generally implies the opportunity to access all City services.**

The area is within the future service limits.

3. This area is designated as urban residential on the Land Use Plan in the 2025 Comprehensive Plan. The area is inside the future service limits.
4. This zoning is an expansion of contiguous existing R-3 zoning.
5. This area is designated as Tier 1, Priority A in the 2025 Comprehensive Plan. The Comprehensive Plan identifies Priority A of Tier I as areas designated for near term development generally contiguous to existing development and should be provided with basic infrastructure within 12 years of the adoption of the Plan. Some of the infrastructure required for development may already be in place.

**CONDITIONS**

**Annexation #04010**

1. The owners shall enter into an annexation agreement with the City of Lincoln. prior to the introduction of the annexation ordinance.

Prepared by:

Tom Cajka

**DATE:** November 23, 2004

**APPLICANT:** Joey Hausmann  
3434 W. Garfield St.  
Lincoln, NE 68522  
(402) 580-2181

**OWNER:** Janet H. & Erich H. Broer  
1800 S.W. 40<sup>th</sup> St.  
Lincoln, NE 68522

**CONTACT:** Brian Carstens  
Brian D. Carstens & Associates  
601 Old Cheney Rd. Suite C  
Lincoln, NE 68512  
(402) 434-2424

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2002 aerial

# **Preliminary Plat #04027** **Change of Zone #04070** **Annexation #04010**

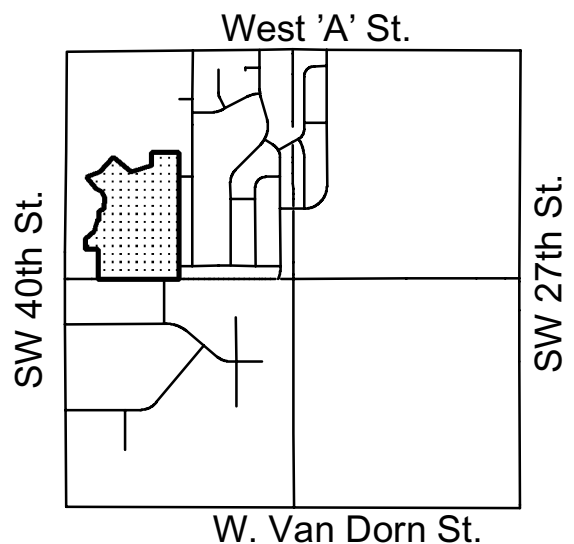
## **Zoning:**

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
 Sec. 32 T10N R6E

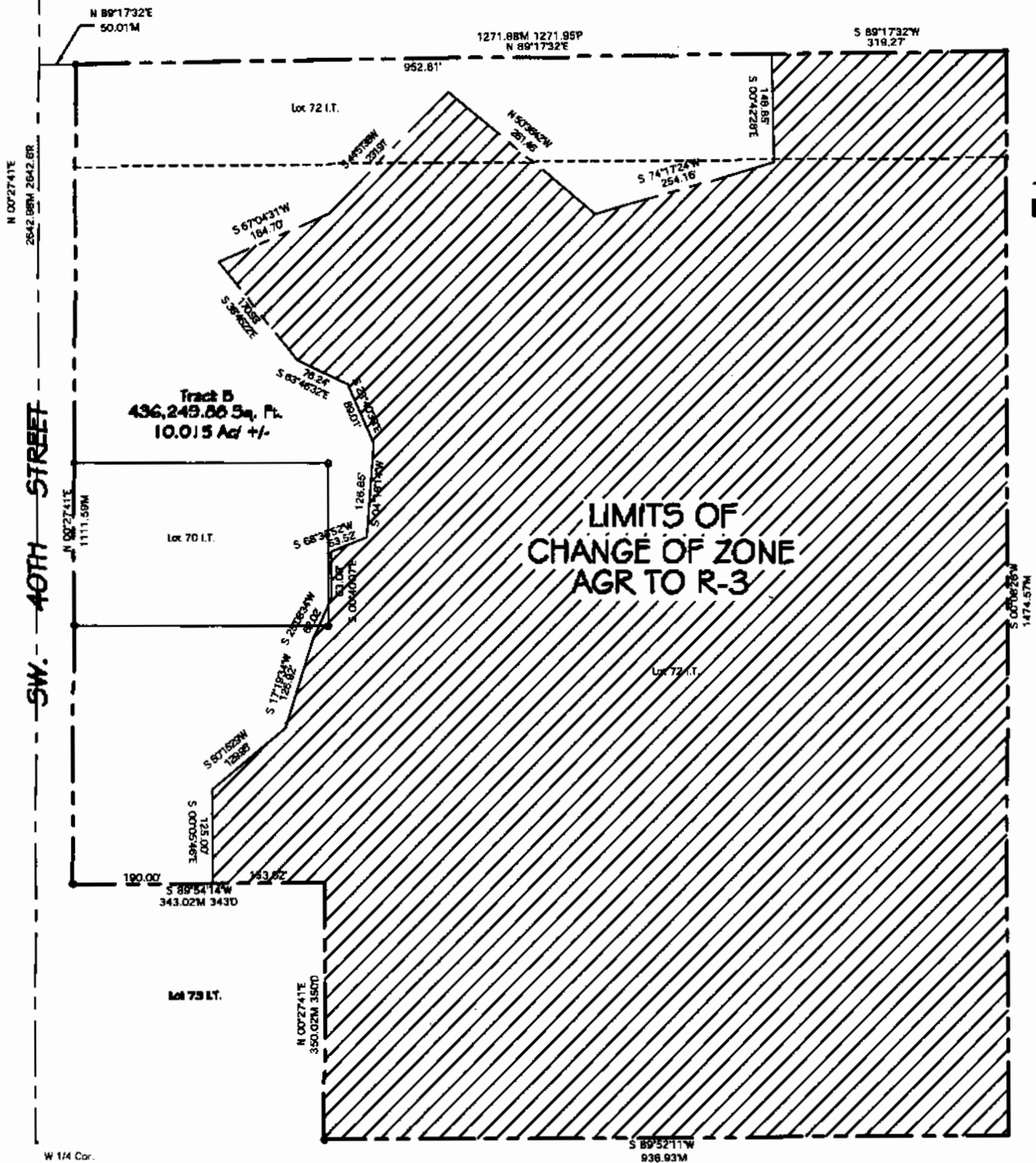


Zoning Jurisdiction Lines  
 City Limit Jurisdiction



Lincoln City - Lancaster County Planning Dept.

# CHANGE OF ZONE EXHIBIT





## LEGAL DESCRIPTION

### CHANGE OF ZONE AGR TO R-3, ANNEXATION & PRELIMINARY PLAT

A survey of a portions of Lots 70, 71 and 72 of Irregular Tracts, located in the Northwest Quarter of Section 32 Township 10 North Range 6 East of the Sixth Principal Meridian, Lancaster County, Nebraska; More particularly described by metes and bounds as follows.

Commencing at the Northwest corner of Section 32 Township 10 North Range 6 East of the sixth Principal Meridian; Thence South  $00^{\circ}27'42''$  West (an assumed bearing) on the West line of the Northwest Quarter of Section 32, a distance of 1181.91 feet; Thence North  $89^{\circ}17'32''$  East, on the South line of Lancaster subdivision a distance of 50.01 feet; Thence continuing on said South line of Lancaster Subdivision, a bearing of North  $89^{\circ}17'32''$  East, on the said South line, and the South lines of Lot 51 of Irregular Tracts a distance of 952.61 feet to the POINT OF BEGINNING; Thence South  $00^{\circ}42'28''$  East, a distance of 148.85 feet; Thence South  $74^{\circ}17'24''$  West, a distance of 254.16 feet; Thence North  $50^{\circ}36'42''$  West, a distance of 261.46 feet; Thence South  $44^{\circ}51'38''$  West, a distance of 231.91 feet; Thence South  $67^{\circ}04'31''$  West, a distance of 164.70 feet; Thence South  $38^{\circ}46'22''$  East, a distance of 170.93 feet; Thence South  $63^{\circ}46'32''$  East, a distance of 76.24 feet; Thence South  $23^{\circ}40'38''$  East, a distance 89.01 feet; Thence South  $04^{\circ}18'14''$  West, a distance of 126.65 feet; Thence South  $68^{\circ}38'52''$  West, a distance of 53.52 feet; Thence South  $00^{\circ}40'07''$  East, a distance of 63.08 feet; Thence South  $25^{\circ}08'34''$  West, a distance of 62.02 feet; Thence South  $17^{\circ}19'34''$  West, a distance of 126.92 feet, Thence South  $50^{\circ}15'29''$  West a distance of 129.95 feet; Thence South  $00^{\circ}05'46''$  East, a distance of 125.00 feet, to a point on the North line of Lot 73 Irregular Tract. Thence North  $89^{\circ}54'14''$  East, on the North line of Lot 73, a distance of 153.02 feet; Thence South  $00^{\circ}27'41''$  West, on the west line of Lot 73 Irregular Tract, a distance of 350.02 feet; Thence North  $89^{\circ}52'11''$  East, on the South line of the Northwest quarter of Section 32, a distance of 936.93 feet; Thence North  $00^{\circ}08'26''$  East, on the West line of Timber Ridge 5th Addition, a distance of 1474.57 feet, to the Southeast corner of Lot 49 Irregular Tract; Thence South  $89^{\circ}17'32''$  West, on the South line of Lots 49, and 51 of Irregular Tracts a distance of 319.27 feet to the POINT OF BEGINNING, and containing a calculated area of 1,314,919.85 Square feet or 30.186 acres more or less.